

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CASE NO. 3:23-CV-00085-FDW-DCK**

<b>EDWARD C HALEY AS THE ADMINISTRATOR OF THE ESTATE OF JOHN DEVIN HALEY,,</b>	)	
	)	
	)	
	)	
<b>Plaintiff,</b>	)	
	)	
	)	
<b>v.</b>	)	<b><u>ORDER</u></b>
	)	
<b>WELLPATH, LLC, ET. AL,</b>	)	
	)	
	)	
<b>Defendants.</b>	)	
	)	

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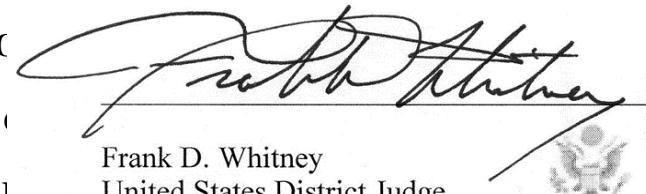
**THIS MATTER** is before the Court on Defendants' Motions to Dismiss, (Doc. Nos. 50, 52, 55, 57, 78, 83, 85, 116). Since the filing of these motions, Plaintiff has filed a Second Amended Complaint, (Doc. No. 124). “The general rule . . . is that an amended pleading supersedes the original pleading, rendering the original pleading of no effect.” Young v. City of Mount Ranier, 238 F.3d 567, 573 (4th Cir. 2001); see also Fawzy v. Wauquiez Boats SNC, 873 F.3d 451, 455 (4th Cir. 2017) (“Because a properly filed amended complaint supersedes the original one and becomes the operative complaint in the case, it renders the original complaint ‘of no effect.’”); Colin v. Marconi Commerce Systems Employees’ Retirement Plan, 335 F.Supp.2d 590, 614 (M.D.N.C. 2004) (“Earlier motions made by Defendants were filed prior to and have been rendered moot by Plaintiffs’ filing of the Second Amended Complaint”); Ledford v. Eastern Band of Cherokee Indians, No. 1:20-CV-005-MR-DCK, 2020 WL 1042235 at 1 (W.D.N.C. March 3, 2020) (“It is well settled that a timely-filed amended pleading supersedes the original pleading, and that motions directed at superseded pleadings may be denied as moot”).

Accordingly, the motions to dismiss are moot. This ruling is without prejudice to Defendants' ability to reassert any applicable arguments in a new motion directed to the Second Amended Complaint.

**IT IS THEREFORE**

52, 55, 57, 78, 83, 85, 110

**IT IS SO ORDERED**



ss, (Doc. Nos. 50,

Frank D. Whitney  
United States District Judge



Signed: September 5, 2023